

FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE  
RUEHTRO/AMEMBASSY TRIPOLI 2642  
BT  
UNCLAS SECTION 01 OF 02 STATE 046924

FROM THE DIRECTOR GENERAL

E.O. 12958: N/A  
TAGS: AMGT, APER  
SUBJECT: ELIGIBLE FAMILY MEMBERS, TANDEM, AND OTHER  
EMPLOYEES: GUIDELINES ON THE SUPERVISORY RELATIONSHIP

1. In meeting with you, both in Washington and during my travels as Director General, I have heard questions - even concerns - about the application of the Department's anti-nepotism policies. The issue is particularly timely as we strive to enhance family member employment, including at our limited accompanied posts, and because the number of tandems has grown to approximately 10% of the Foreign Service workforce. To ensure that our anti-nepotism practices are, in fact, "best practices," I convened a working group to review our policies and procedures and am pleased to share the results with you.

-----  
Results of the Anti-Nepotism Working Group  
-----

2. The working group found that overall processes work well, are consistent, and successfully balance the needs of Eligible Family Members (EFM), tandem couples, post effectiveness and morale, and, of course, the law. It also found that there are elements of process and coordination that should be improved. We are doing that now. Central to the group's work was a determination that our procedures and practices ensure that "no employee shall exercise supervisory responsibilities with respect to another member of the employee's family."
3. Over the last 4 years, 90% of the proposed Alternative Supervisory Arrangements (ASAs) have been approved. (ASAs are a prerequisite to any assignment and/or appointment that might violate, in either fact or appearance, anti-nepotism laws or regulations.) In fact, the process of developing an ASA - requiring advice from the relevant

office in HR (see para 5 below), and clearance from the post, bureau and the Department's Legal Advisor - largely ensures that ASAs that do not meet legal or common sense requirements do not make it very far. I was pleased to learn that we have been able to accommodate so many arrangements.

4. The working group agreed, however, that in addition to improvements in process and coordination, we needed to do a better job of explaining anti-nepotism rules and procedures.

-----  
A Brief Overview of the Rules and Procedures  
-----

5. The Department uses two separate processes to strike the right balance among the potentially conflicting goals of employment for our EFMS and tandems overseas and our legal and practical anti-nepotism obligations and concerns. HR/OE, the Office of Overseas Employment, manages the process for local hire EFM employment issues. HR/CDA/SL, Senior Level Career Development, manages the process for FS tandem couples assigned to the same mission overseas. Both processes are governed by the FAM and Standard Operating Procedures (SOPs). The details can be found as follows: regulatory policy and procedures governing EFM issues are in 3 FAM 8310 and 3 FAH-1 H-8310 (<http://arpsdir.a.state.gov/fam/03fam.html>); the SOP for FS tandems is at <http://hrweb/prd/hrweb/cda/SOPS/A-11B.pdf>. All ASAs must be approved by L. I would encourage all interested parties to take a careful look at these references and follow the guidelines closely.

-----  
Finding the Right Balance  
-----

6. We are committed to promoting appropriate opportunities for EFMs and tandem couples. At the same time, we must safeguard the interests of other employees through viable and creditable ASAs. The working group reinforced the need to ensure that these other employees are not disadvantaged in their professional opportunities or forced into situations where the lines are not clear or the reality on the ground is uncomfortable. ASAs must make sense. They must not disrupt the efficient functioning of the mission. The working group and I

believe we are meeting these requirements. If you have questions on the procedures and/or processes, please contact HR/OE (for EFMs) or HR/CDA/SL (for tandems).

7. I have asked the working group to meet periodically to review decisions and ensure consistency of the two processes. As always, I welcome your views on this or any other subject at DG-Direct.

8. As a reminder, LE Staff appointments should also follow U.S. anti-nepotism laws and regulations. Post should establish guidelines in accordance with the LE Staff Recruitment Policy Guidebook, found at <http://hrweb.hr.state.gov/prd/hrweb/oe/HRM/Recruitment.html>.